



Substitute for form 1449/PTO

*(Use as many sheets as necessary)*

Sheet	1	of	5
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**Complete if Known**

Application Number	10/709,015
Filing Date	04/07/2004
First Named Inventor	Matthew Banet
Art Unit	3736
Examiner Name	Mallari, P
Attorney Docket Number	A-0004

## U. S. PATENT DOCUMENTS

U. S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
JD		US- 3412729	11/1/1968	Smith	
		US- 4063551	12/1/1977	Sweeny	
		US- 4080966	3/28/1978	McNally et al.	
		US- 4367752	1/11/1983	Jimenez et al.	
		US- 4380240	4/19/1983	Jobsis et al.	
		US- 4425920	1/17/1984	Bourland et al.	
		US- 4681118	7/21/1987	Asia et al.	
		US- 4777954	10/18/1988	Kuesch et al.	
		US- 4825879	5/2/1989	Tan et al.	
		US- 4846189	7/11/1989	Sun	
		US- 4869261	9/26/1989	Penaz	
		US- 4917108	4/17/1990	Mault	
		US- 5002055	3/26/1991	Merki et al.	
		US- 5038792	8/13/1991	Mault	
		US- 5111817	5/1/1992	Clark et al.	
		US- 5178155	1/12/1993	Mault	
		US- 5179958	1/19/1993	Mault	
		US- 5213099	5/25/1993	Tripp, Jr.	
JD		US- 5237997	8/1/1993	Greubel et al.	

**FOREIGN PATENT DOCUMENTS**

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*fatima cyalli*

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Considered

4/17/04

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**MAR 27 2006**

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet	2	of	5
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E		US- 5309916	5/10/1994	Hatschek	
↓		US- 5435315	7/25/1995	McPhee et al.	
		US- 5485848	1/23/1996	Jackson et al.	
		US- 5632272	5/27/1997	Diab et al.	
		US- 5727558	3/17/1998	Hakki et al.	
		US- 5743857	4/28/1998	Shinoda et al.	
		US- 5836300	11/17/1998	Mault	
		US- 5857975	1/12/1999	Golub	
		US- 5865755	2/2/1999	Golub	
		US- 5865758	2/2/1999	Louzianine	
		US- 5891042	4/6/1999	Sham et al.	
		US- 5921936	7/13/1999	Inukai et al.	
		US- 6004274	12/21/1999	Nolan et al.	
		US- 6013009	1/11/2000	Karkanen	
		US- 6176831	1/23/2001	Voss et al.	
		US- 6224548	5/1/2001	Gopinathan et al.	
A		US- 6245014	6/12/2001	Brainard, II, Edward C	
		US- 6280390	8/28/2001	Akselrod et al.	
		US- 6334065	12/25/2001	Al-Ali et al.	

**FOREIGN PATENT DOCUMENTS**

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Substitution for form 1449/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>		<b>Complete if Known</b> Application Number 10/709,015 Filing Date 04/07/2004 First Named Inventor Matthew Banet Art Unit 3736 Examiner Name Mallari, P Attorney Docket Number A-0004	
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U. S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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CP		US- 6371921	4/16/2002	Caro, et al.	
		US- 6432061	8/1/2002	Nissila et al.	
		US- 6443905	9/3/2002	Nissila et al.	
		US- 6443906	9/3/2002	Ting et al.	
		US- 6475146	11/5/2002	Frelburger et al.	
		US- 6475153	11/5/2002	Khair et al.	
		US- 6477397	11/5/2002	Ronkainen et al.	
		US- 6511436	1/28/2003	Asmar	
		US- 6514211	2/4/2003	Baura	
		US- 6527711	3/4/2003	Stivoric et al.	
		US- 6533729	3/18/2003	Khair, et al.	
		US- 6553247	4/22/2003	Rytky	
		US- 6556852	4/29/2003	Schulze et al.	
		US- 6558321	5/6/2003	Burd et al.	
		US- 6571200	5/27/2003	Mault	
		US- 6595929	7/22/2003	Stivoric et al.	
		US- 6599251	7/29/2003	Chen et al.	
		US- 6605044	8/12/2003	Bimbaum	
CP		US- 6616613	9/9/2003	Goodman	

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Examiner Signature	<i>Patricia A. Miller</i>	Date Considered	4/17/06
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# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 4

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of 5

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**Complete if Known**

Application Number	10/709,015
Filing Date	04/07/2004
First Named Inventor	Matthew Banet
Art Unit	3736
Examiner Name	Mallari, P
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e		US- 6645154	11/11/2003	Oka	
		US- 6645155	11/11/2003	Inukai et al.	
		US- 6652466	11/25/2003	Sugo et al.	
		US- 6678543	1/13/2004	Diab et al.	
		US- 6681454	1/27/2004	Modgil et al.	
		US- 6714804	3/30/2004	Al-Ali, et al.	
		US- 6723054	4/20/2004	Baruch et al.	
		US- 6733447	5/1/2004	Lai et al.	
		US- 6740045	5/25/2004	Amano	
		US- 6775566	8/10/2004	Nissila et al.	
		US- 6808473	10/26/2004	Hisano, et al.	
		US- 6813511	11/2/2004	Diab, et al.	
		US- 6814705	11/9/2004	Kawaguchi	
		US- 6852083	2/8/2005	Caro, et al.	
		US- 6871084	3/22/2005	Kigsley et al.	
		US- 20020183627	12/5/2002	Nishii et al	
		US- 20040030261	2/12/2004	Rantala, Borje	
		US- 20040260186	12/23/2004	Dekker, Andreas Lubbertus Aloysius	
e		US-			

**FOREIGN PATENT DOCUMENTS**

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		Art Unit	3736
		Examiner Name	Mallari, P
Sheet 5	of 5	Attorney Docket Number	A-0004

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
AP	1	WEIJIA CUI, LEE E. et al., In Vivo Reflectance of Blood and Tissue as a Function of Light Wavelength, submitted to IEEE Transactions on Biomedical Engineering, Vol. 37 No. 6	

Examiner Signature	<i>Stephen A. Miller</i>	Date Considered	4/17/06
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